

REMARKS***Summary of the Response***

Upon entry of the amendment, claims 13, 17, and 19 will have been amended, and claims 1, 2, 4 – 12, 16, 18, and 20 – 24 will have been canceled without prejudice or disclaimer. Further, Applicant expressly reserves the right to pursue in one or more continuing applications patent protection for the subject matter of the canceled claims. Accordingly, in the pending application, claims 13 – 15, 17, and 19 remain pending.

Summary of the Decision from the Board of Patent Appeals and Interferences

In the Decision on Appeal, the Board reversed the rejection of claims 13 – 15, 17, and 19, such that these claims are no longer rejected in the pending application. The rejections of now canceled claims 1, 2, 4 – 12, 16, 18, and 20 – 24 were affirmed. By the present amendment and remarks, Applicant submits that the application in condition for allowance.

All Pending Claims are Allowable

As discussed above, in the Board's September 2, 2009 Decision, the rejection of claims 13 – 15, 17, and 19 was reversed, such that these claims contain allowable subject matter, and would be allowable if presented in independent forms that include all of the features in their base claims and in any intervening claims. By the present amendment, claims 13, 17, and 19 have been presented in independent and allowable forms that include all of the features of their base claims and of any intervening claims. Further, claims 14 and 15, which depend from now independent claim 13, are likewise allowable at least for the reason that these claims depend from allowable base claim 13.

Further, as claims 1, 2, 4 – 12, 16, 18, and 20 – 24 have been canceled without prejudice or disclaimer, Applicant submits that the remaining rejections are moot and should be

withdrawn. However, as noted above, Applicant has expressly reserved the right to pursue patent protection for the subject matter of the canceled claims in one or more continuing applications.

Therefore, Applicant submits that claims 13 – 15, 17, and 19 are allowable over the applied art of record, and requests that the Examiner acknowledge the same in the next official communication.

Application is Allowable

Thus, Applicants respectfully submit that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. §§ 102 and 103, and respectfully request the Examiner to indicate allowance of each and every pending claim of the present invention.

Authorization to Charge Deposit Account

The undersigned authorizes the charging of any necessary fees, including any extensions of time fees required to place the application in condition for allowance by Examiner's Amendment, to Deposit Account No. 19 - 0089 in order to maintain pendency of this application.

CONCLUSION

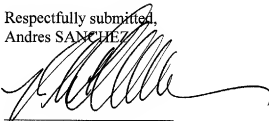
In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious the Applicants' invention, as recited in each of claims 13 – 15, 17, and 19. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be

deemed to attach thereto.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully submitted,
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November 2, 2009
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